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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

11 BRIAN DAVID MATTHEWS,

12 Plaintiff,

13 v.

14 JOSEPH LEHMAN, et al.,

15 Defendants.

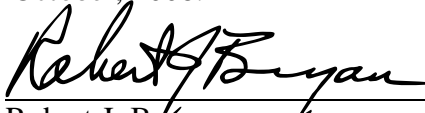
Case No. C07-5376RJB

ORDER ADOPTING REPORT
AND RECOMMENDATION

16 This matter comes before the Court on the Report and Recommendation of the Honorable J.
17 Kelley Arnold, United States Magistrate Judge (Dkt. 90). The Court having considered the Report
18 and Recommendation, the plaintiff's failure to file objections, and the remaining record, does hereby
19 find and order:

- 20 (1) The Court adopts the Report and Recommendation (Dkt. 90);
21 (2) Plaintiff's motion for default (Dkt. 86) is **DENIED**; and
22 (3) The Clerk is directed to send copies of this Order to plaintiff, to counsel for
23 defendants, and to Judge J. Kelley Arnold.

24 DATED this 1st day of October, 2008.

25 
26 Robert J. Bryan
27 United States District Judge
28

ORDER